

# **EXHIBIT F**

**Carl Fargione**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Johnson, et al. v. The Islamic Republic of Iran</i>	18-cv-12344 (GBD)(SN) ECF Case

**DECLARATION OF CARL FARGIONE**

I, Carl Fargione, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than eighteen (18) years of age and I have personal knowledge of and am competent to testify to the matters stated in this declaration.
2. I was a citizen of the United States on September 11, 2001, and I remain so today.
3. On September 11, 2001, I was present in New York City when the terrorist attacks on the World Trade Center (WTC) occurred. I was a firefighter with the New York City Fire Department (FDNY) assigned to Engine Company 309 in Brooklyn.
4. On the morning of the attacks, I was off-duty at my home in East Patchogue, New York. I watched the television coverage of the first plane hitting the WTC. When a second plane struck the second tower, it was clear to me that there would be a total recall of all FDNY personnel. I immediately drove to Brooklyn and reported to the firehouse. By the time I arrived, Engine Company 309 and Ladder Company 159 had both responded to the scene. At the firehouse we were instructed to go to Division Headquarters. Once there, we boarded a bus and were taken to a muster point in Lower Manhattan where we were told to stand by with our firefighting gear and tools.

5. In the early afternoon of September 11, we were sent to Ground Zero. We trudged through ash and debris that was ankle deep, and in some places deeper, toward the WTC. The debris that was on the ground had been pulverized to the point that it was unidentifiable as having ever been anything in particular. The smoke and acrid fumes in and around Ground Zero were unforgettable and lingered with us long after we left the site. As we continued toward the WTC, WTC Building 7 collapsed. We were able to escape the falling debris and the cloud that it created and eventually made our way to where the towers had collapsed. The scene was surreal. The piles of rubble that had been the WTC were burning and were several stories high. Buildings were burning and debris was strewn as far as you could see in every direction.

6. We began the search for possible survivors as the buildings continued to burn out of control. As we worked through the afternoon and into the night, I learned from another firefighter that a very close friend of mine with Engine Company 1 had been killed while rescuing a woman from one of the buildings. Many firefighters with whom I was well acquainted from my years on the job lost their lives on September 11. It was an indescribably difficult time. Nevertheless, we continued our search until early the next morning. I arrived home, covered with ash and soot, at 1:00 or 2:00 a.m.

7. I continued to work at Ground Zero on September 12 and for the next three months. We worked long shifts five day a week. We did not have respirators or other protective equipment or clothing other than our firefighting gear for many weeks after the attacks. I developed a persistent cough, as did most everyone who worked there, but I thought it would go away after I left the site. It did not.

8. During the months I was at Ground Zero, once it was apparent the rescue effort was now a recovery effort, I worked with other firefighters on the bucket brigade and searched

underground below the collapsed towers for remains of the victims. The buildings continued to burn. At the end of those first three months, working at the site became voluntary. Many firefighters took extra shifts and worked overtime at Ground Zero and Fresh Kills Landfill. I chose not to continue to work there. It was very depressing work. I returned to my job at the firehouse. For months after the attacks, we could still see the smoke coming from Manhattan in Brooklyn.

9. I did not notice any truly adverse health issues until 2008. At that time FDNY began to offer free medical screening to the firefighters who had work at the WTC and the landfill after the attacks. We were told that regardless of the screening results it would not affect our duty status. When I read the report of my physical, I became very concerned. I met with the doctor in April 2008 to discuss my results. I was told that I had nodules on my lungs and that I was suffering from severe emphysema. The nodules were of concern, but I was told that they should just be monitored to make sure my condition did not progress. The severe emphysema, however, was of more serious concern. I was advised that I likely could not tolerate any additional smoke inhalation from active duty. The options that were presented to me were to continue with the Department on light duty or take a disability retirement. I had served twenty-five years with FDNY at that time so I decided to retire.

10. The health problems discovered in 2008 due to my exposure to the dust, ash, chemicals, and other toxins at Ground Zero on the day of the attacks and the months that followed have not abated. I continue to be monitored for the nodules on my lungs and I continue to have respiratory issues. Since my initial diagnosis, I have also been diagnosed through the World Trade Center Health Program (WTCHP) with gastroesophageal reflux disease. My other physical injuries and conditions have also been confirmed by the WTCHP which determined that exposure

to the smoke, ash, and environmental toxins resulting from the 9/11 attacks were a significant factor in causing these conditions.

11. Following the evaluation by the WTCHP, I pursued a claim with the Victim Compensation Fund (VCF). I was found eligible for compensation for simple chronic bronchitis, other chronic bronchitis, unspecified sinusitis, emphysema, and esophageal reflux. A true and correct copy of the VCF eligibility determination letter documenting the physical injuries I suffered from the attacks on 9/11 is submitted with this declaration as part of this exhibit.

I DECLARE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 16 day of May, 2025.

  
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Declarant Carl Fargone



September 11th  
Victim Compensation Fund

April 8, 2014

CARL FARGIONE



Dear Carl Fargione:

**Revised Eligibility Determination: This supersedes any previous Eligibility Determination letter you have received.**

Your Eligibility Form for the September 11th Victim Compensation Fund (VCF) has been reviewed. You submitted an Eligibility Form for Personal Injury Claimants. Your claim number is VCF0012239.

**The Decision on your Claim**

The VCF has determined that you meet the eligibility criteria established in the statute (the Zadroga Act and the original statute) and regulations<sup>1</sup> and therefore the VCF will review your Compensation Form and supporting materials to determine the amount of any award. Based on the information you submitted and information the VCF has received from the World Trade Center Health Program (WTCHP), you have been found eligible for the following injuries:

- ESOPHAGEAL REFLUX
- OTHER CHRONIC BRONCHITIS
- OTHER EMPHYSEMA
- SIMPLE CHRONIC BRONCHITIS
- UNSPECIFIED SINUSITIS

Please note that there are several reasons why an injury that you think should be eligible is not listed above. First, for non-traumatic injuries, the description of the injury is based on the information provided by the WTCHP and there can be several alternative descriptions for the same injury. Additionally, a WTCHP physician may have provided testing or treatment for an injury even if the WTCHP has not certified that injury for treatment. Finally, your injury may not be listed if it was only recently certified for treatment by the WTCHP. The VCF regularly receives updated information from the WTCHP and will notify you if additional injuries have become eligible.

<sup>1</sup> The Statute (the Air Transportation Safety and System Stabilization Act as amended by the Zadroga Act) and the Regulations are located at <http://www.vcf.gov/lawRulesOtherDocs.html>.



September 11th  
Victim Compensation Fund

### What Happens Next

The VCF will determine your compensation award based solely on the eligible injuries listed above. In order for the VCF to do so, you must submit the Compensation Form for Personal Injury Claimants and the required supporting documents. If you have not already done so, please submit the Compensation Form and the required supporting documents as soon as possible. You are encouraged to submit the Compensation Form through the VCF's web-based claim system at [www.vcf.gov](http://www.vcf.gov). If you wish to complete the Compensation Form in hardcopy, you may request the form by contacting the toll-free Helpline at 1-855-885-1555. For the hearing impaired, please call 1-855-885-1558 (TDD). If you are calling from outside the United States, please call 1-202-353-0356.

In addition to the Compensation Form, please also complete and submit the VCF ACH Payment Information Form. This form can be found on our website in Section 8 of the Frequently Asked Questions (FAQs). The completed form must be submitted before the VCF can arrange for any payment.

The VCF will be able to determine your compensation award based on the eligible conditions after all compensation related documents are submitted. When you receive an award letter, you will have the right to appeal. In that appeal, you have the right to assert additional injuries that you believe are eligible and for which you believe you should be compensated. For purposes of the statutory deadlines, the injuries listed in your claim form and the injuries certified as eligible will be deemed "filed". You will receive instructions on the appeal process when you receive the letter with details of your compensation award.

If you have questions about the information in this letter or the claims process in general, please contact our toll-free Helpline at the number noted above. Every effort will be made to respond to your inquiries as soon as possible.

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Sincerely,

September 11th Victim Compensation Fund